

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin *SG*
DATE: July 5, 2011
RE: 11-0719CA; 36 Luck Street

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Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RM Ward: 2

Owner/Applicant: Robert Thibault

Request: Renovate single family home after fire, add second story.

Applicable Regulations:

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines)

Background Information:

The applicant is seeking approval to renovate a fire damaged single family home and to construct a second story over the existing single story structure. No site changes are proposed. An associated variance for encroachment into the side yard setback was not acted upon by the Board and was deemed approved on July 2, 2011. Therefore, the 2nd story addition will encroach 3' into the side yard setback, just as the existing building does.

Previous zoning actions for this property are noted below.

- 7/2/11, Deemed variance approval for 3' encroachment into side yard setback
- 11/29/79, Approval for renovations to front porch

Recommendation: Consent approval as per, and subject to, the following findings and conditions.

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(3) Residential Medium Density (RM)

The subject property is located in the RM zone. This zone is primarily intended for medium density residential development in the form of single family homes and multi-family apartments. The single family home will remain a single family home and is consistent with the intent of the RM zone. **(Affirmative finding)**

(b) Dimensional Standards & Density

There is no minimum lot size requirement in the RM zone.

Residential density will remain unchanged at 1 unit.

Lot coverage will remain unchanged.

Setbacks will remain unchanged. The house projects 3' into the 5' minimum required western side yard setback. As noted above, a variance to allow the 2nd story addition to encroach equally was deemed approved July 2, 2011.

The proposed two story addition will reach 25' at the peak of the roof and about 21.5' at the mid point of the rise of the gable roof; well under the 35' height limit in the RM zone. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The single family dwelling is a permitted use in the RM zone. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

Not applicable.

2. Height

Not applicable.

3. Lot Coverage

Not applicable.

4. Accessory Residential Structures and Uses

Not applicable.

5. Residential Density

The home is subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding as conditioned)**

6. Uses

Not applicable.

7. Residential Development Bonuses

No development bonuses are being sought.

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.5.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

Outdoor lighting will illuminate building entries and is depicted on the elevation drawings. A fixture cutsheet has been provided and depicts an acceptable residential fixture. **(Affirmative finding)**

Sec. 5.5.3, Stormwater and Erosion Control

Not applicable.

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

Not applicable.

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The size of the building will essentially double with the addition of a 2nd story. As proposed, the end result will be a standard “colonial” home similar in appearance to a neighboring home at 28 Luck Street. The massing and scale of the building remains consistent with the established variety of homes in the neighborhood. The 2-story height is likewise consistent with neighboring homes. **(Affirmative finding)**

2. Roofs and Rooflines

A basic gable roof is proposed. **(Affirmative finding)**

3. Building Openings

The new 2nd story will have a series of double hung 1-over-1 windows consistent in appearance with existing double hung windows on the 1st floor. Several existing slider windows on the 1st floor will remain. Note that the new and existing windows on the west side of the home are just 2’ from the property line. These features may not comply with applicable building codes. It is the applicant’s responsibility to comply with all applicable building codes. Any revisions

to the proposed fenestration required by building code must be reflected in revised building elevations. **(Affirmative finding as conditioned)**

(b) Protection of important architectural resources

The existing building is not historically significant. The proposed alterations will not adversely impact any historic resources. **(Affirmative finding)**

(c) Protection of important public views

There are no important public views from or through the subject property. **(Affirmative finding)**

(d) Provide an active and inviting street edge

The front face of the home continues to be a largely blank wall at street elevation. An existing doorway just around the corner on the east side will remain and may be adequate as the “front” entrance. The applicant is encouraged to install additional windows and/or a doorway at the street level facing Luck Street. Doing so may be necessitated if windows cannot be included on the side elevation due to life safety code requirements. **(Affirmative finding as conditioned)**

(e) Quality of materials

The home is to be clad in vinyl siding with vinyl windows and asphalt shingle roofing. No trim details are evident and must be noted if proposed. The materials are not high in quality or especially durable but are acceptable for what amounts to a new single family home. Some of these materials may need to be changed due to building code requirements related to encroachment into the setback. Any changes in exterior building materials must be depicted on revised building elevations. **(Affirmative finding as conditioned)**

(f) Reduce energy utilization

The renovated building must comply with the city’s current energy efficiency standards. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

No advertising features are included in this proposal.

(h) Integrate infrastructure into the building design

Utility meters are depicted on the plans. They will be located on the sides of the building out of direct public view and are acceptable. **(Affirmative finding)**

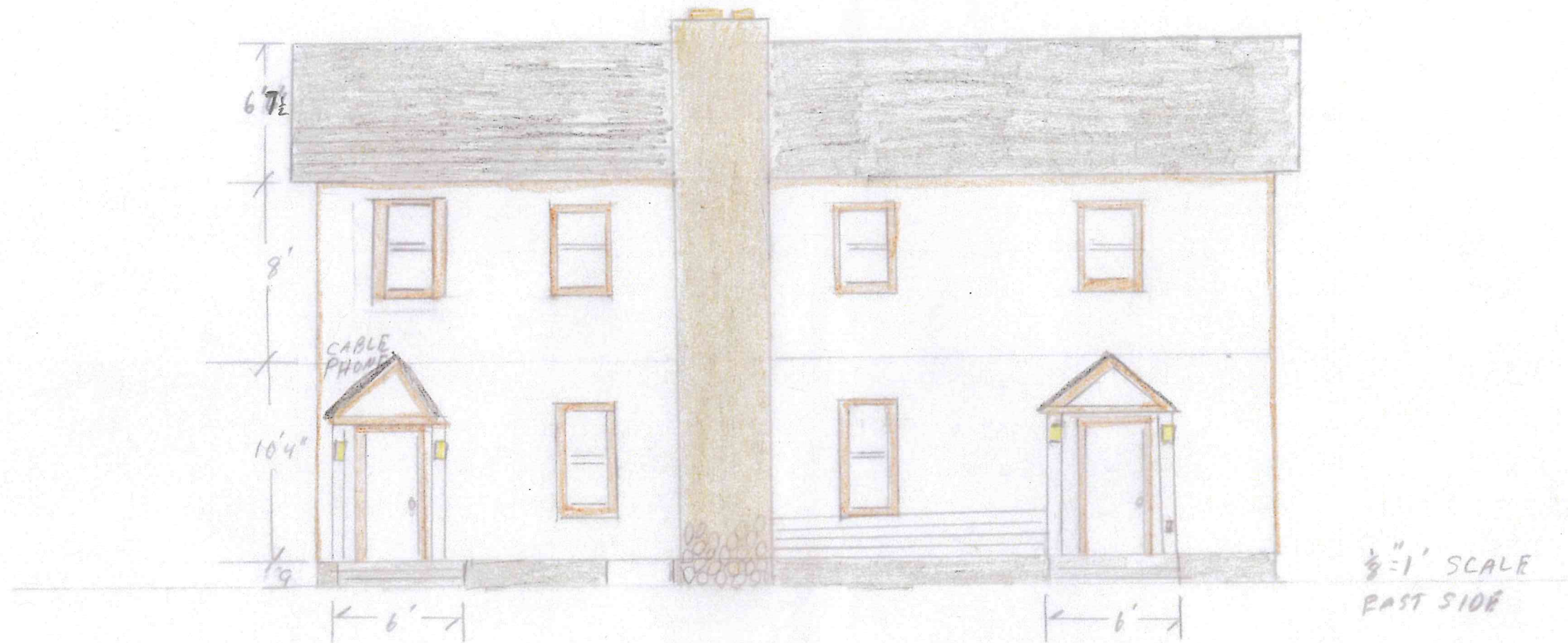
(i) Make spaces safe and secure

The building’s encroachment into the side yard setback may result in stricter fire rating requirements for the building materials. The proposed windows, siding, and roofing might not comply with applicable building codes. It is the applicant’s responsibility to comply with all applicable building codes. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. The applicant is encouraged to install additional windows and/or a doorway at the street level facing Luck Street.
2. The existing and proposed residential units are subject to the functional family provisions of the Comprehensive Development Ordinance.
3. A State of Vermont wastewater permit may be required.

4. The proposed structure shall comply with Burlington's current egress and building/life safety code requirements as established by Burlington Public Works and/or Fire Department. **Any exterior building modifications due to building code compliance or otherwise shall be depicted on revised building elevations, subject to staff review and approval prior to the issuance of a certificate of occupancy.**
5. The proposed structure shall comply with Burlington's current energy efficiency standards as established by Burlington Electric Department.
6. This property is subject to all applicable nuisance regulations and performance standards in the Burlington Code of Ordinances.
7. Standard permit conditions 1 – 18.



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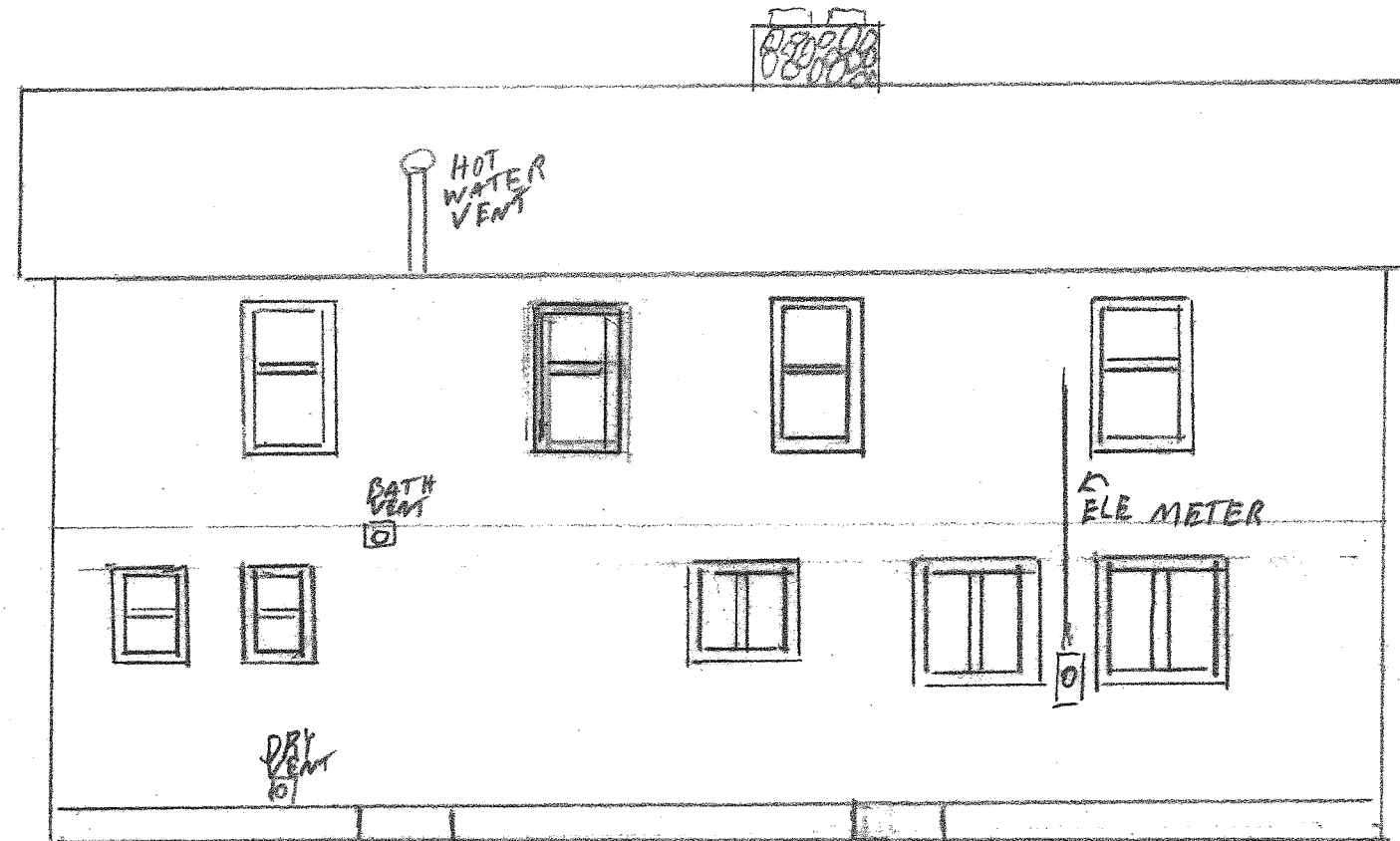
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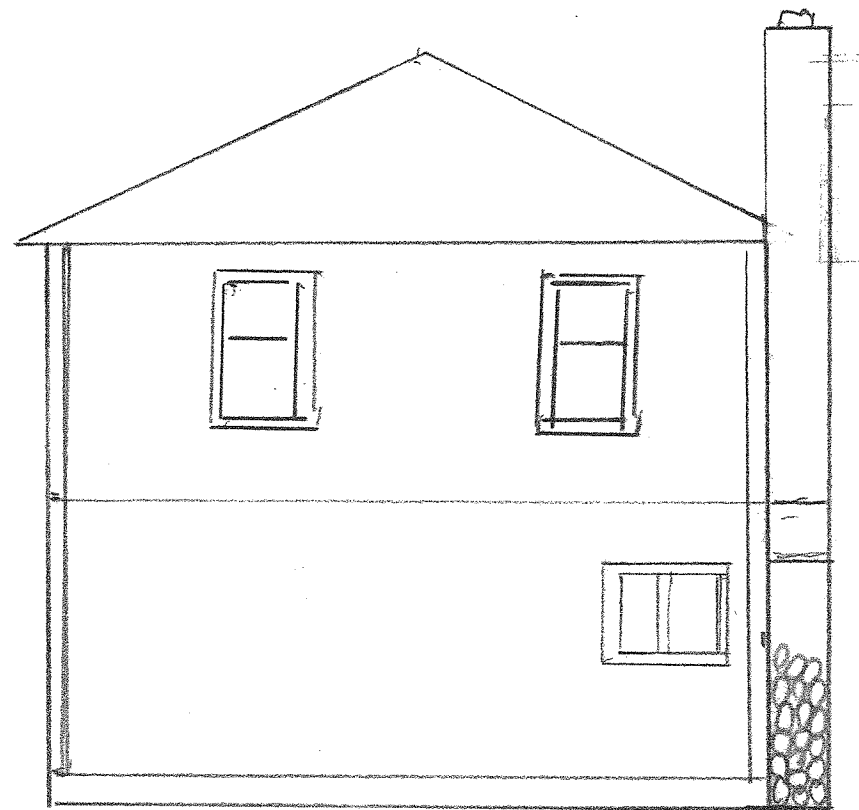


$\frac{1}{8}'' = 1'$ SCALE
WEST SIDE

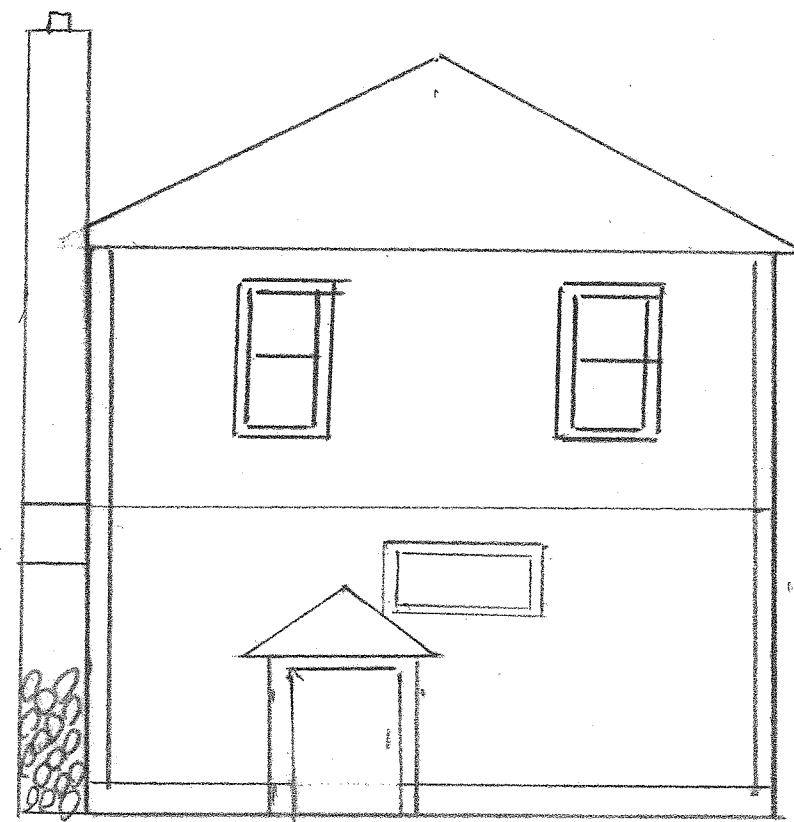
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SOUTH SIDE



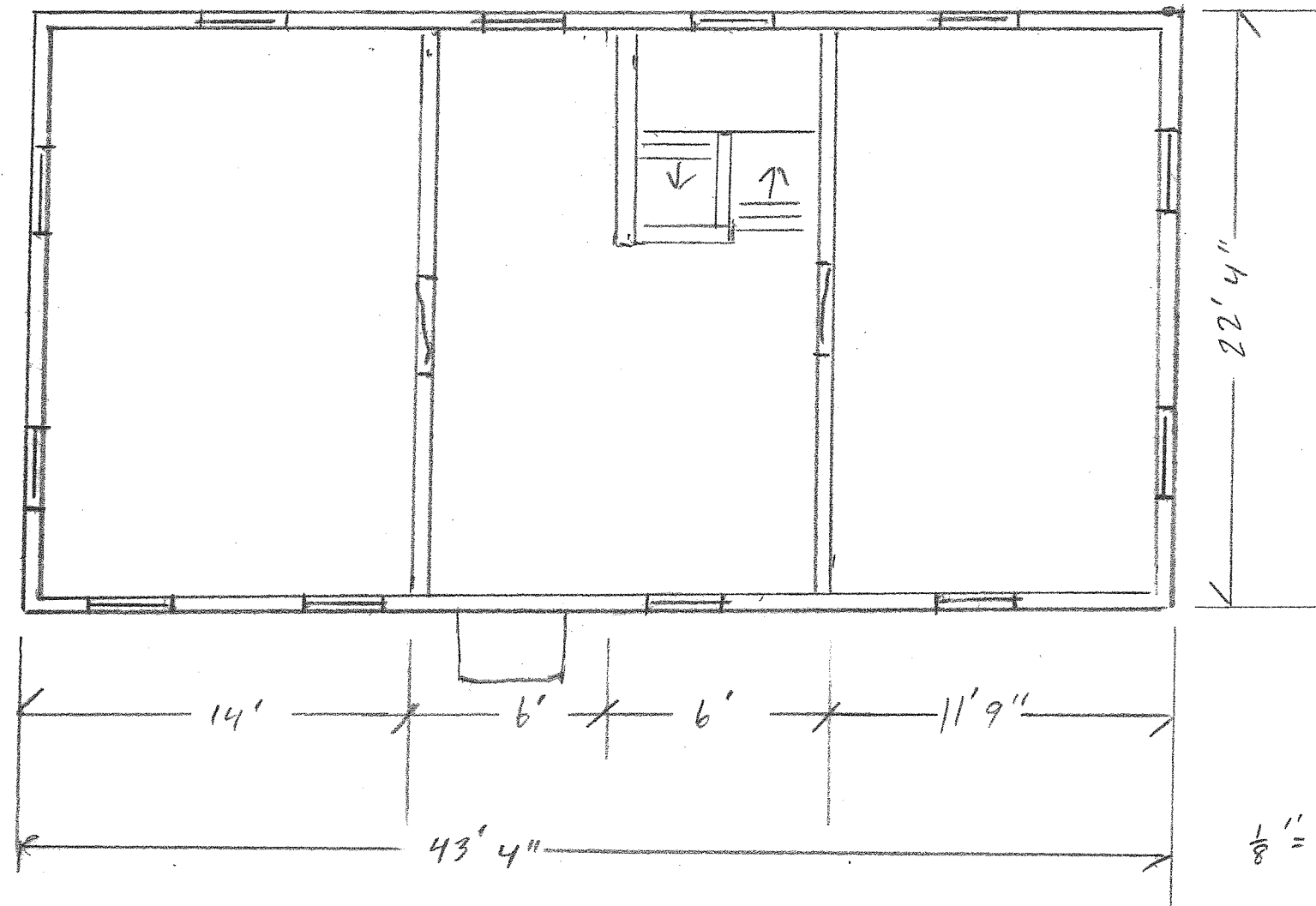
NORTH SIDE

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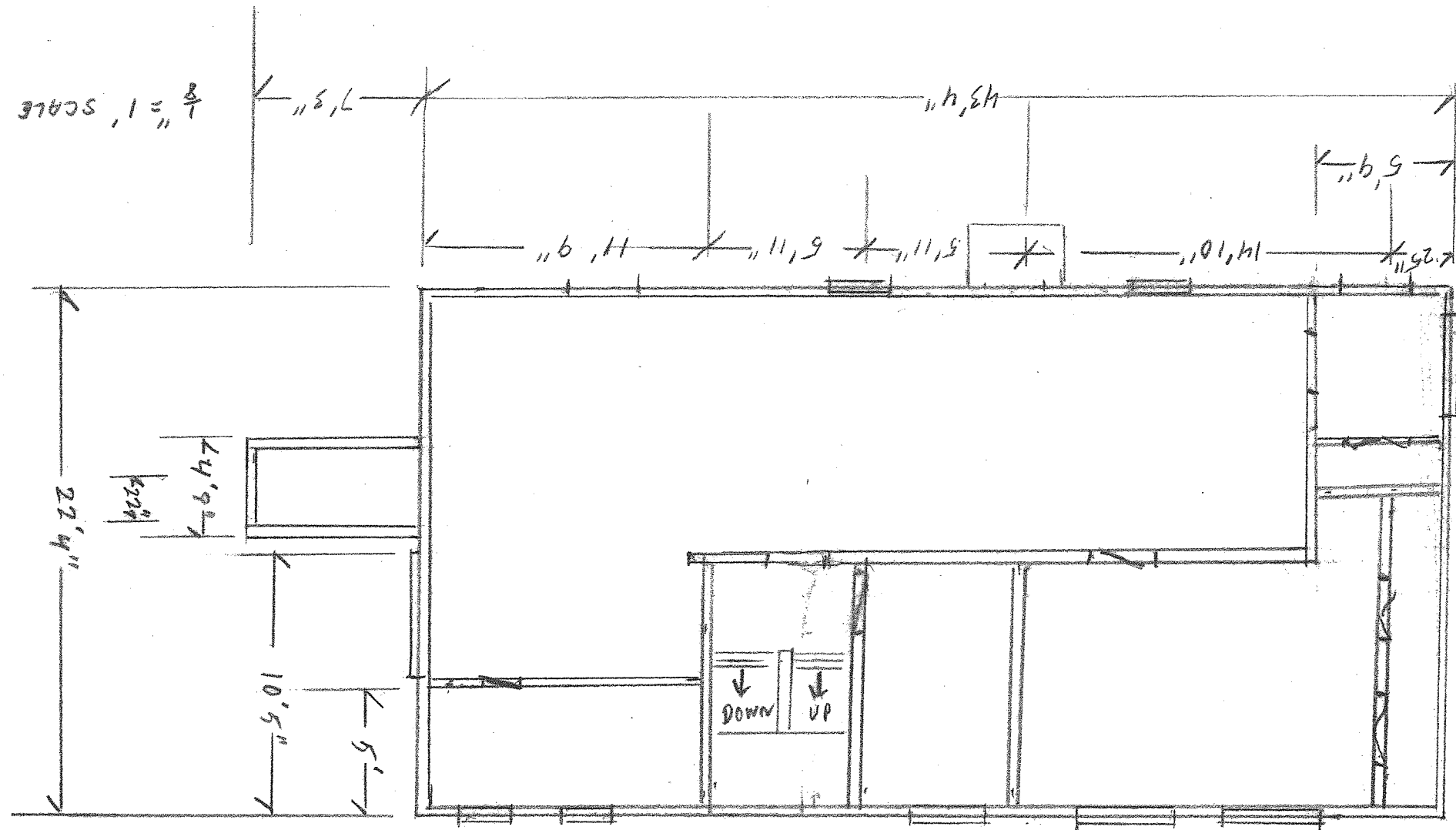


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LUCK STREET

GREEN BELT

GREEN BELT
FLOWER TREE

SIDE WALL

WATER LINE

WINDOW IVY

METER BOX

GARDEN

PEAR TREE
12"

GRASS

LILAC TREE

GARDEN

RASPBERRY BUSH

FLOWERS
ROSE BLEEDING
ROSE BUSH
HEAD

GAS METER
GAS LINE

STEPS

FLOWER POT

WINDOW

SCREEN DOOR

STEPS

FLOWER POT

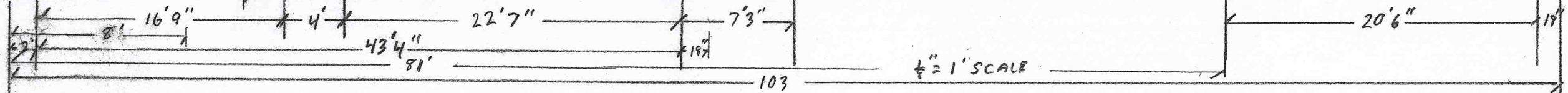
GATE

GRASS

PERENNIAL FLOWERS

LILAC TREE

GRASS



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San Juan House



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neighboring house
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